## Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

## Listing of Claims:

Claim 1 (currently amended): A method for evaluating a promotion scheme for a product, the method comprising the steps of:

providing a computer to a user;

said computer collecting market data related to said product to create [[creating]] a model of a market for the product, wherein said market model identifies at least one competing good, and wherein said computer defines customer segments for said product and said competing goods in said market model, and wherein said customer segments are statistically independent such that a sale to one of the consumer segment does not effect a demand from others of the consumer segments,

said computer collecting historical transaction data related to transactions of the product and the competing goods in the [[market]] consumer segments during at least a first and second time periods;

said computer analyzing the historical data and dynamically selecting a statistical model to evaluate said promotion scheme, wherein said computer selects a multiplicative model if the computer determines during the analyzing of the historical data that:

(a) the historical transaction data satisfies a predefined completeness criteria,

(b) sales of the product and sales of the competing goods are statistically dependent,

(c) sales of the product and the competing goods during the first time period are statistically dependent to sales of the product and the competing goods during the second time period, or

(d) a number of the product and the competing goods exceeds a predefined number criteria, and

wherein said computer otherwise selects an attractive model .and

said computer using said statistical model to analyze [[analyzing]] the historical data and the market model to determine a utility of the product without the promotion scheme; and

said computer using said statistical model to estimate a [[estimating the]] change in utility of the product from the promotion scheme.

Claim 2-6 (cancelled).

Claim 7 (currently amended): The method of claim 1, further comprising the steps of:

said computer identifying a driving factor in sales of the product;

said computer determining a future change to the driving factor caused by the promotion scheme;

during the analyzing step, said computer correlating the sales trends of the product and historical changes in the driving factor; and

said computer estimating a future change in sales of the product by associating the future change to the driving factor with similar historical changes in [[is]] the driving factor.

Claim 8 (previously presented): The method of claim 7, wherein the driving factor is a relative price for the product.

Claim 9 (previously presented): The method of claim 7, wherein the driving factor is attractiveness of the product.

Claim 10 (currently amended): The method of claim 1 further comprising the steps of:

said computer accepting data from the user for defining a business goal; and

said computer using the estimated change in utility of the product to estimate the ability of the promotion scheme to meet the business goal.

Claim 11 (previously presented): The method of claim 10, wherein the business goal is the elimination of a current inventory of the product.

Claim 12 (currently amended): The method of claim 1, further comprising the steps of:

said computer updating the historical data to include data from new sales; and

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said computer adjusting the estimated change in utility of the product in view of the new sales data.

Claim 13 (currently amended): The method of claim 1 wherein the promotion scheme is a first promotional scheme, and further comprising the steps of:

said computer forming a second promotion scheme;

said computer estimating the change in utility of the product from the second promotion scheme;

and said computer comparing the changes in the utility of the product caused by the first and second promotion schemes.

Claim 14 (currently amended): The method of the claim 1 further comprising the steps of

said computer forecasting future demand for the product without the promotion scheme; and

said computer using the forecasted future demand in estimating the change in utility of the product from the promotion scheme.

Claims 15-24 (cancelled).

Claim 25 (currently amended): A computer-executable program storage medium [[device]] [[readable by a machine,]] tangibly embodying a program of instructions [[executable by a machine]] to perform a method for evaluating a promotion scheme for a product, the method comprising the steps of:

collecting market data related to said product to create a model of a market for the product, wherein said market model identifies at least one competing good, and wherein said market model defines customer segments for said product and said competing goods in said market model, and wherein said customer segments are statistically independent such that a sale to a first consumer segment does not effect a demand from a second consumer segment,

collecting historical transaction data related to transactions of the product and the competing goods in the consumer segments during at least a first and second time periods;

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_____ analyzing the historical data and dynamically selecting a statistical model to evaluate said promotion scheme, wherein a multiplicative model is selected if:

_____ (a) the historical transaction data satisfies a predefined completeness criteria,

_____ (b) sales of the product and sales of the competing goods are statistically dependent,

_____ (c) sales of the product and the competing goods in the first and the second time periods are statistically dependent, or

_____ (d) a number of the product and the competing goods exceeds a predefined number criteria, and

wherein otherwise an attractive model is selected; and

_____ using said statistical model to analyze the historical data and the market model to determine a utility of the product without the promotion scheme; and

_____ using said statistical model to estimate a change in utility of the product from the promotion scheme

[[method steps creating a model of a market for the product; collecting historical transaction data related to the product in the market; analyzing the historical data and the model to determine a utility of the product without the promotion scheme; and estimating a change in utility of the product from the promotion scheme, whereby the method step of estimating uses either a multiplicative or an attraction model]].

Claim 26 (new): The computer-executable program storage medium of claim 25, wherein the method further comprises the steps of:

identifying a driving factor in sales of the product;

determining a future change to the driving factor caused by the promotion scheme;

during the analyzing step, correlating the sales trends of the product and historical changes in the driving factor; and

estimating a future change in sales of the product by associating the future change to the driving factor with similar historical changes in the driving factor.

Claim 27 (new): The computer-executable program storage medium of claim 26, wherein the driving factor is a relative price for the product.

Claim 28 (new): The computer-executable program storage medium of claim 26, wherein the driving factor is attractiveness of the product.

Claim 29 (new): The computer-executable program storage medium of claim 25, wherein the method further comprises the steps of:

accepting data from the user for defining a business goal; and

using the estimated change in utility of the product to estimate the ability of the promotion scheme to meet the business goal.

Claim 30 (new): The computer-executable program storage medium of claim 29, wherein the business goal is the elimination of a current inventory of the product.

Claim 31 (new): The computer-executable program storage medium of claim 25, wherein the method further comprises the steps of:

updating the historical transaction data to include data from new sales; and

adjusting the estimated change in utility of the product in view of the new sales data.

Claim 32 (new): The computer-executable program storage medium of claim 25, wherein the promotion scheme is a first promotional scheme and wherein the method further comprises the steps of:

forming a second promotion scheme;

estimating the change in utility of the product from the second promotion scheme;

and comparing the changes in the utility of the product caused by the first and second promotion schemes.

Claim 33 (new): The computer-executable program storage medium of claim 25, wherein the method further comprises the steps of:

forecasting future demand for the product without the promotion scheme; and

using the forecasted future demand in estimating the change in utility of the product from the promotion scheme.

Claim 34 (new): A promotion evaluation system comprising:

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a product segmentation means, wherein said product segmentation means collects market data related to a product and identifies at least one competing good,

an incentive translation means, wherein said incentive translation means collects historical transactions data related to the product and the competing goods and identifies historical promotions used for the product and the competing goods;

a customer segregation means, wherein customer segregation means identifies customer segment data that defines customer segments for said product and said competing goods, and wherein said customer segments are statistically independent such that a sale to a first consumer segment does not effect a demand from a second consumer segment;

a data aggregation means for aggregating the market data, historical transaction data, and customer segment data;

a model selection means, wherein said model selection means analyzes the aggregated data and selects between a statistical model, said statistical model comprising at least one of a multiplicative statistical model and an attraction statistical model; and

an evaluation means that uses the statistical model specified by the model selection means to evaluate a proposed promotion for the product using the aggregated data.

Claim 35 (new): The system of claim 34 further comprising a demand forecaster means.

Claim 36 (new): The system of claim 34 further comprising a market manager means.

Claim 37 (new): The system of claim 34, wherein the system may be accessed over a distributed network.

Claim 38 (new): The system of claim 37 wherein said distributed network is the Internet.